

REMARKSRejection of the claims under 35 USC 102:

Claims 5-8 have been rejected under 35 U.S.C. 102(b) as being anticipated by Maeda et al. (US Patent 4,732,933).

Claims 5 and 12-14 have been rejected under 35 U.S.C. 102(e) as being anticipated by Tonge et al (US Patent 6,436,905).

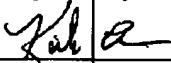
Claims 12-13 and 15-17 have been rejected under 35 U.S.C. 102(b) as being anticipated by Calcaterra et al (US Patent 5,118,551).

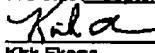
Claims 12, 13, 15 and 16 have been rejected under 35 U.S.C. 102(b) as being anticipated by Smallman (GB 1241294).

Applicants have amended the claims to obviate the rejections. It is the Applicants' opinion that the prior art does not teach delivery of a compound to the cytoplasm of a cell via co-delivery and endocytosis of a membrane active styrene-maleic anhydride-based polymer or vinyl ether-maleic anhydride-based polymer. Applicants request reconsideration of the §102 rejections.

The Examiner's objections and rejections are now believed to be overcome by this response to the Office Action. In view of Applicants' amendment and arguments, it is submitted that claims 5-8 and 12-15 should be allowable.

Respectfully submitted,


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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as express mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: September 23, 2005.

Kirk Ekena